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Y0242-00205**III. Remarks**

New Claims 37 and 38 have been added, examination of which is requested.

Claims 1, 3-9, 11-16, 18-19, 22-23, 25-26, 28-36 are pending in the present application.

The Action again rejects all pending claims. Reconsideration and withdrawal of these rejections are respectfully requested in view of the foregoing amendments and the following arguments.

A. Summary of Interview with Examiner

On August 27, 2004 and September 8, 2004, the undersigned attorney conducted telephone interviews with the Examiner to discuss the amendments proposed in the After Final Response filed July 20, 2004 and not entered. Per the telephone interviews, alternative claim language has been proposed in the amendments below.

B. Summary of the Amendments

Claims 1, 9 and 16 have been amended to more clearly recite that the selected abstracted version is "for creation". These claims have also been amended to recite that the user is prompted to select "an abstracted version." The Applicant does not view this amendment as changing the scope of the claim in anyway, but merely as making the terminology of the first clause of each claim consistent with the terminology used in the remaining clauses of the claims.

Claims 1, 9, 16 and 23 have also been amended to recite that the set of instructions are "before selection thereof, customized" to the electronic document. These amendments are discussed in more detail below.

A few purely formalistic amendments have also been made. The preambles of Claims 9 and 16 have been amended to better recite that the computer code is for directing a computer processor. Claim 9 has also been amended to change the recitation of "a means" to "means".

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Y0242-00205**C. Claim Rejection Under § 103**

The Action again rejects all pending claims as being obvious from U.S. Patent No. 6,289,304 to Grefenstette (hereinafter, the '304 Patent). This rejection is addressed below using amended Claim 1 as representative of the independent claims.

Amended Claim 1 now recites the step (b) of selecting a set of instructions for abstracting the electronic document, wherein the instructions are, before selection thereof, customized to the electronic document. This feature is neither taught nor suggested by the '304 Patent.

These amendments are amply supported in the Specification. For example, FIG. 1 clearly illustrates the storage of both generic and particular instructions 44ca, 44cb. The particular instructions are customized to the electronic document before being selected for use in the abstraction. FIGS. 3 and 4 also illustrate this point. FIG. 3 illustrates a process for abstracting a document once a set of generic instruction are selected. FIG. 4 illustrates a separate process where a set of customized instructions are selected (meaning they are customized before selection) and then applied to a document for abstraction.

Applicant submits that the Examiner recognizes that each summarization rule taught by the '304 Patent is clearly generic in nature, i.e., the rules are grammatical rules generally applicable to any electronic document. As noted in the previous Responses, the '304 Patent discloses a method and system for summarizing text using part-of-speech (POS) data indicating parts-of-speech for tokens in the text. (Abstract; and Column 2, Lines 15-22 (relied upon by the Examiner)). Referring to the flow diagram of FIG. 3, in boxes S1-S5 input text is first converted to characters (S1) and then tokenized (S2). The tokens are collected into sentences (S3) and then each token in a sentence is associated or identified as a particular part-of-speech (S4). Verb group annotated and noun group annotated versions of the text are then formed (S5, S6) to identify noun and verb groups and their characteristics, e.g., syntactic properties such as active, passive, infinitival, etc. The tokenized and annotated text are then parsed to create summaries based on generic sets of instructions.

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The '304 Patent describes the use of a reduction filter (Step S7) based on a selected reduction level to generate the summarized text. (Column 8, Lines 44-58). Each reduction level utilizes the part-of-speech tagging and tokenization discussed above. The '304 Patent provides at Column 9, Lines 43-59 eight examples of reduction levels that may be employed by the reducing filter to provide summarized text:

- (1) only proper names, no subclauses;
- (2) only subjects and object nouns, no subclauses;
- (3) only subjects, head verbs, and object nouns, no subclauses;
- (4) only subjects, head verbs, and object nouns, preposition and dependent noun heads, no subclauses;
- (5) only proper names, including subclauses;
- (6) only subjects and object nouns, including subclauses;
- (7) only subjects, head verbs, and object nouns, including subclauses; and
- (8) only subjects, head verbs, and object nouns, preposition and dependent noun heads, including subclauses.

These rules are clearly not "before selection thereof, customized to" the electronic documents as claimed in the amended claims. By customized, it is meant that the rules are made specifically for the electronic document prior to selection, i.e., not generally or universally applicable to all documents.

From the foregoing, the '304 Patent does not teach or suggest a set of instructions for abstracting an electronic document that is, before selection thereof, customized to the electronic document. It follows that independent Claim 1, and independent Claims 9, 16 and 23, which

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recite features that parallel Claim 1, are not obvious from the '304 Patent and are allowable over the art of record. It is submitted that Claims 3-8, 11-15, 18-19, 23, 25-26 and 28-36, which depend from the independent claims, are also allowable for at least the reasons set forth above. Reconsideration and withdrawal of the rejection of these claims are respectfully requested.

Applicants would like to address one other point made by the Examiner in the "Response to Arguments" section of the Action dated May 21, 2004. The Examiner notes, "In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the feature upon which applicant relies (i.e., particularized to an electronic document by using a weighting schemes that weights prior to abstraction particular portions of an electronic document. . .) are not recited in the rejected claim(s)." The same position was noted by the Examiner in the Interview Summary summarizing the July 8, 2004 interview: "The Examiner . . . suggested that the Applicant incorporate a more accurate explanation of how the instructions are particularized to a document (i.e., via use of a weighting scheme) in the claim."

Applicant again notes that this feature is claimed in dependent Claims 33-36, i.e., the set of instructions include "weights associated with respective portions of said electronic document", which were added in the Response to the first Office Action. Per the Examiner's acknowledgment, it is submitted that these Claims are independently allowable over the art of record.

D. New Claims

New independent Claims 37 and 38 have been added and recite that the instructions are, before selection thereof, designed specifically for the content of the electronic document. Support for these new claims can be found at, for example, FIGS. 1 and 4.

As noted above, the rules of the '304 Patent are generic in nature and are not, therefore, "before selection thereof, designed specifically for the content of the electronic document." For at least these reasons, Claims 37 and 38 are allowable over the art of record.

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IV. Conclusion

In view of the foregoing remarks and amendments, Applicant submits that this application is in condition for allowance at an early date, which action is earnestly solicited.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

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